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Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-fifth year

Identical letters dated 13 August 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Georgia dated 12 August 2010 on Russia's non-compliance with the Ceasefire Agreement (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the sixty-fourth session of the General Assembly under agenda item 14 and of the Security Council.

(*Signed*) Alexander **Lomaia**
Permanent Representative

10-48642 (E) 170810

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Annex to the identical letters dated 13 August 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on Russia's non-compliance with the Ceasefire Agreement

Two years after the signing of the 12 August 2008 Ceasefire Agreement, Russia continues its non-compliance with the agreement and remains in substantial breach of almost every provision.

1. Non-use of force

Due to the non-constructive attitude of Russia, as an aggressor and a party to the conflict, it is still difficult to achieve progress on the agreement on non-use of force between Russia and Georgia, which is one of the main issues at the Geneva discussions.

2. A definitive halt to hostilities

Despite the fact that today there are no hostilities on the ground, Russian armed forces and the illegal armed formations of its proxy regimes continuously resort to looting, kidnapping, burning houses, the destruction of historical monuments, forced passportization, organizing armed attacks and terrorist acts on civilians and policemen, detaining residents illegally and other criminal acts. Since August 2008, the Russian occupiers and Russia's proxy regimes have been responsible for the deaths of 11 Georgian law-enforcers and 10 civilian casualties in the territories adjacent to the administrative boundary lines of the Tskhinvali region, Georgia and Abkhazia, Georgia. More than 90 persons have been injured as a result of such incidents.

The already existing volatile situation has further deteriorated owing to Russia's ongoing opposition to the restoration of international presence, namely, the vetoed United Nations and Organization for Security and Cooperation in Europe missions on the territory of Georgia.

3. Provision of free access for humanitarian assistance

The Russian Federation's armed forces and its Federal Security Service (FSB) personnel have been consistently blocking access to humanitarian aid in the Tskhinvali region and the surrounding villages. Even though the provision of humanitarian aid is not a political issue, the Russian Federation and its proxy regime in the Tskhinvali region are attempting to politicize this issue by establishing unacceptable illegal rules for humanitarian missions.

4. Georgian military forces must be withdrawn to the places of their permanent dislocation

On 10 August 2008, Georgia declared a unilateral ceasefire. The armed forces of Georgia returned to the place of their permanent deployment, prior to the signing of the 12 August 2008 Ceasefire Agreement. Georgia remains committed to its

obligations under the above-mentioned agreement, which was praised by the European Union Monitoring Mission on numerous occasions. Moreover, the Georgian side has unilaterally signed the memorandum of understanding with the European Union Monitoring Mission, under which Georgia has limited the movement of military equipment and personnel in the adjacent territory of the occupation line. Russia has not responded to the call from the European Union Monitoring Mission to sign a similar memorandum of understanding.

5. Russian forces must be withdrawn to their positions prior to the outbreak of hostilities: while awaiting an international mechanism, Russian peacekeeping forces will implement additional security measures

After the Ceasefire Agreement was signed on 12 August 2008, Russian troops occupied additional territories, which had never been part of the conflict, such as: Akhalgori region, Upper Abkhazia and the village of Perevi. Instead of fulfilling its commitments, Russia is continuously increasing its military presence within the occupied territories of Georgia and is building military bases in order to ensure its illegal presence on the ground (5 military bases, approximately 10,000 military personnel). It has to be mentioned that Russia does not allow the only existing international mechanism on the ground, the European Union Monitoring Mission, to fulfil its mandate and have access to Georgia's occupied territories.

6. Opening of international discussions on security and stability modalities in Abkhazia and South Ossetia

In violation of international principles and norms, the Russian Federation pre-empted all future discussions regarding the stability and security of Georgian regions: Abkhazia and Tskhinvali/South Ossetia by unilaterally recognizing their independence.

Russia's intentional unconstructive position contains a threat to Geneva discussions, established on the basis of the Agreement signed on 8 September 2008 and makes it impossible to achieve concrete results.

Tbilisi, 12 August 2010